19 38

Department of R.S.

OFFICE - Bo Blvd

STATION Madras

Bdes No. 399

Dated 5-2-38

DISPATCHED
10 FEB 1938

Pages in the file

(SUBJECT.)

Endowments - Star Cable (South Kanara) Mangalore
Orders. Union Bank Funds - vesting in trustees
Star Cable endowments Returned
Memorandum Enclosed

BOARD OF REVENUE 9 - AUG 1935 LAND REVENUE & SETTLEMENT

GOVERNMENT OF MADRAS

Local Self Government Departm

M E M O R A N D U M.

S... T. 8-AUG 1935

No.29063-1-A.2-L & M., dated the 6th August 1935.

****

Read: From the Collector of South Kanara, C.No.3079/35-B.4, dated the 12th July 1935.

Subject:- Endowment - Charitable - Mangalore Town Hall funds - Action under the Charitable Endowments Act, 1890.

Referred to the Board of Revenue for remarks.

2. In case the Charitable Endowments Act, 1890, is proposed to be applied, the Board is requested to obtain and submit to the Government the necessary application with draft scheme of administration with reference to sections 4, 5 and 6 of the Act.

M.V. Sankara Variar,
Assistant Secretary to Government.

To the Board of Revenue, Land Revenue and Settlement,
(with enclosures in original to be returned with reply).

F O R W A R D E D.
(By Order)

Superintendent

Copy of letter from E.M. Gawne, Esq., I.C.S., Collector of South Kanara, dated 12th July 1935. To the Chief Secy. to the Govt of Madras

Trust Funds-- Mangalore Town Hall Funds - Action under the Charitable Enowments Act VI of 1890 - Requested.

The late Dewan Bahadur N. Subba Rao was an important figure in the public life of Mangalore. He was Chairman of the Municipal Council from 1906 to 1916, President of the District Board from 1916 to 1925 and President of the South Kanara Educational Council from 1925 to 1933 that is till the date of his death. He was also a member of the Legislative Council from 1909-1911. Necessarily therefore he was associated closely with the organisation of celebrations on important occasions such as the Delhi Durbar and the peace celebrations in 1919. In this way he came to be the custodian of different funds which were collected on various occasions and which were never spent because the funds were insufficient for the object intended. At the time of his death in October 1933 he was in sole control of the following funds which were in fixed deposit in local banks:-

1. The Union Club Fund value Rs.2885-13-5 on date of maturity of fixed deposit (31-8-1934).
2. The Victoria Memorial Fund value Rs.3833-11-2 on date of maturity (28th June 1934).
3. The Edward Coronation Fund value Rs. 1621-13-7 on date of maturity (27th September 1934).
4. The Delhi Durbar Fund value Rs.1683-4-6 on date of maturity (21-6-1935).
5. The Victory Fund Value Rs.5346 on date of maturity (15-8-'34)

2. The existence of these funds was quite well known in Mangalore but Mr. Subba Rao proved very difficult to anybody who approached him for more precise information. He had informed me himself that the money meant was for building a town hall and he had no intention of letting it out of his grasp for any other purpose. I think too that as he was a lawyer he must have realised that his position in holding this money as a sole Trustee without keeping any accounts

accounts was very irregular; and if once he allowed other people to look into the funds he would be in considerable difficulty to explain how he had been administering these funds all these years. He had no legal status either to spend the funds or to hand them over to others to be spent. After his death his son handed over the papers to me and I found that there was no sign of any accounts. There were bundles of papers which were mostly receipts or acknowledgments from different banks and these papers were in no particular order. However by the courtesy of the banks I was able to reconstruct accounts approximately for the last 20 years. But it is not possible to trace back Funds 1 and 2 before 1st May 1913. Till then the two amounts had been kept in one sum. Mr. Subba Rao then divided them into Rs.1,000 and Rs.1,468-11-4 and placed them in fixed deposit in the Imperial Bank. The fact that one sum was precisely Rs.1,000 suggested that the division was arbitrary. Similarly the King Edward Coronation Fund cannot be traced before the 28th July 1916; although it is clear that the money must have been collected about 1901 or 1902. The Delhi Durbar Fund is supported by a printed statement of receipts and charges which shows a cash balance of Rs.642-4-11 on the 2nd March 1912. The money remained in the Treasury and in October 1914 it was found to amount to Rs.659-2-2; but it was not till a year later that the money was drawn from the District Treasury and deposited in the Imperial Bank. The Collector and Treasury Deputy Collector appear to have raised no question about handing the money over to Mr. Subba Rao.

3. When I was coresponding with the banks about these funds I found with regard to Fund & 2 a subsidiary fund of Rs.71-9-2 which was a half year's interest deposited in the savings bank on the 29th December 1926 and apparently forgotten. An item of Rs.35-1-0 being interest of Fund 4 for the half year ending 1st June 1927 was found to have been drawn in cash and it could not be traced. I asked Mr. Subba Rao's son to replace this sum with

with accrued interest Rs.10-15-0 and he did so. These sums were drawn out so that the half year's interest might itself be invested for six months instead of the interest being drawn once a year only and then added to the capital. This shows that Mr. Subba Rao was very anxious to take every opportunity of increasing the funds.

4. In June 1934 Mr. Subba Rao's son moved the District Court to appoint the Collector as a Trustee to these funds and the District Court passed an order in O.P. 50 of 1934 of which I enclose a copy. On the 28th of August 1934 I convened a public meeting to discuss the disposal of these funds and to see whether any arrangement could be made to appoint a Committee to put the money to use. The meeting was well attended and several members of the Bar pointed out legal difficulties in the way of making any resolution which could authorise any person or persons to deal with the money. It was also argued that the order of the District Judge appointing the Collector as Trustee was not regular. I therefore adjourned the meeting without any resolutions being passed and I sent the papers to the Government Pleader, the late Mr. M.N. Prabhu, for his opinion.

5. Mr. Prabhu was of opinion that the order of the District Court making the Collector a Trustee was not likely to be contested and was convenient in the circumstances. Of the courses of action open to the Collector he thought it best that action should be taken under the Charitable Endowments Act VI of 1890 and that I should address the Government as soon as possible to take control of the Funds. He pointed out however that the Government could not make an order for vesting the property in the Treasury for Charitable Endowments, that is to say the Accountant-General, unless the Funds were in a security conforming to section 4 (3) of the Act. I therefore invested four of the funds which had matured in 5½% bonds of the 1938-40 Government loan, and waited until June 1935 for the last fund to mature. I have now invested this last fund also in the same security and the following bonds are in my possession:

Pronotes in 5½% loan 1938-1940.

No. M.000301	for Rs.	10,000
No. G.002169	for Rs.	1,000
No. G.002170	for Rs.	1,000
No. G.002132	for Rs.	1,000
No. B.001598	for Rs.	500
No. F.000530	for Rs.	500
		14,000

The interest on the investments made in 1934 has not been drawn.

6. Last month I had given notice that the matter of these funds would be discussed at a public meeting to be held in connection with the organisation of the Quetta Earthquake Relief Fund in order that I might make a recommendation to the Government as to a suitable scheme for the use of the money. I had hoped that the public would agree that the money should be spent on enlarging the present Municipal library by the construction of a good sized reading room. This appears to be a practicable scheme within the compass of the present accumulated funds. It has also considerable support in Mangalore. However the meeting followed the lead of the Municipal Chairman who spoke in favour of a Town Hall although there is no prospect whatever af a Town Hall being constructed for Rs.16,000. The Chairman also stated that the matter would be put before the Municipal Council and a scheme would be drawn up for the construction of a combined Town Hall and Municipal Office. The Municipal Council might well have drawn up such a scheme in the past twelve months, as the precise total of the funds has been known to all. I do not myself see any prospect of additional subscriptions being obtained in Mangalore for bringing the Town Hall Funds up to a figure which would enable a Town Hall to be built; nor is a Town Hall likely to be a profitable concern so that the additional money could be borrowed with a reasonable prospect of repayment. The Council has not got funds to build a new office, but it

it seems to have a confused idea that because it has half the cost of a Town Hall and one-third the cost of an office, the two sums could be merged and a combined Municipal Office and Town Hall built. I have reminded the Council that on the presumption that the cost of the site will be free there is little prospect of any saving of money in constructing an office and town hall as one scheme, as neither can be superimposed satisfactoryily upon the other under a single roof. I also brought to their notice the difficulties of the public in Cannanore where a Town Hall was started and completed without adequate funds being available.

As the money had to be invested in Government paper in round sums it follows that there is a small balance remaining after the purchase of bonds. This amounts to Rs.57-13-1 and is deposited with the Co-operative Bank, Mangalore. If the Governme are pleased to take action under section 4 of the Charitable Endowments Act, I request to be informed what should be done with this cash surplus.

I enclose as an appendix some accounts of the five funds so far as the existing records allow reconstruction.

There is no difficulty whatever (it would seem) in combining Funds 2,3 and 5 for one object provided the building takes the form of some kind of public meeting place. With regard to Fund I, the Union Club Fund, the President of the Cosmopolitan Club applied to me for the money, an the ground that the Cosmppolitan Club is the direct descendant of the Union Club. This contemtion is however by no means established, and as Mr. SubbRao was for many years President of the Cosmopolitan Club one would have expected him to hand the money over to the Club in his lifetime had he thought the Club had a legal claim to it.

In the Court of the District Judge of South Kanara.

Wednesday the 20th day of June 1934.

Present:- S.G.Srinivasa Acharya, Esq.B.A., B.L.
District Judge.

Original petition No. 50 of 1934

N.Rama Rao — Petitioner.

This is an application under Section 74 of the Indian Trusts Act II of 1882 praying that the Collector of South Kanara District may be appointed the Trustee for all the Town Hall Funds standing in the name of late Dewan Bahadur N.Subba Rao and petitioner be empowered to hand over the Fixed Deposit Receipts to the Collector of South Kanara.

This application coming on for hearing this day, in the presence of Mr. K.Ram Mohan Rao, Pleader for the petitioner and upon perusing the application and the connected records of the case, the Court passed the following:-

Order:

The Collector of South Kanara is by consent appointed Trustee of the Funds scheduled herein. Petitioner is to deliver the Bank receipts to him.

Schedule.

1.	Jayalaxmi Bank Ltd., Mangalore	,,,	Rs. 1442	2	7	Fixed Deposi No. 127/ 1932.
2.	Do.	...	2576	12	6	Do.66/1932
3.	Do.	...	4773	4	0	Do.72/1932
4.	Do.	...	1516	8	4	Do.604/32-33.
5.	The South Kanara Central Co-operative Bank Ltd., Mangalore.		3421	1	0	Do. 2358
		Total ...	13735	12	5	

Pronounced in open Court this 20th day of June 1934.

(Sd.) S.G.Srinivasa Acharya

District Judge.

To the Collector of South Kanara.

History of the Mangalore Public Funds.

The late Dewan Bahadur N. Subba Rao had in his possession moneys belonging to the following funds invested in banks at the time of his death. The funds constituted Trust money and Mr. Subba Rao was in charge of them owning obligation in the nature of a Trustee. After his death his sons Messrs N. Rama Rao and N. Shiva Rao applied to the District Judge of South Kanara in O.P. No. 50/1934 for an order under Section 74 of the Indian Trust Act, for the appointment of the Collector of South Kanara as a trustee for all these funds and the Collector was accordingly constituted and appointed Trustee of the funds.

The funds are:

1. The Union Club Funds
2. The Victoria Memorial Hall Funds.
3. Coronation Durbar Fund.
4. Victory Memorial Fund.
5. Edward Memorial Fund.

These five funds amount to Rs. 13,753-12-5 and together with interest to Rs. 15,416 (in August 1934).

The following is a brief history of the funds:

1. The Union Club Funds: There was a club in Mangalore called the Union Club which evidently had one or more trustees. The contributors of the club cannot now be traced. The club had become defunct in 1890 or thereabouts but the club owned certain assets in the shape of books, furniture and probably the superstructure of a building. In 1896 some gentlemen of Mangalore including Mr. N. Subba Rao constituted themselves into a club and called it "The Mangalore Union Club" and authorised Mr. N. Subba Rao to acquire the assets of the defunct Union Club. On 10th November 1897 he wrote to One T. Subba Rao, the Honorary Secretary of the old Union Club as follows:-

"I am authorised to ask you to obtain from the Trustees

of the Union the formal transfer of the premises as the meeting was of opinion that it was a suitable site for the contemplated building and of the furniture, books etc. belonging to the Union" and requested a favourable and early reply.

Mr.T.Subba Rao ~~was~~ evidently was not willing to hand over the assets to the newly formed club and on 18th November 1897 wrote to Mr. N.Subba Rao as follows: "In reply to yours of the 7th instant I wish to state that in consultation with the majority of the trustees and members of the union, I have resolved to put the Union again in working order and that I am issuing a notice with that view. If this leads to anything, as I hope will be the case, there is no need for any other club being started." He (T.Subba Rao) accordingly sent a circular letter to the Trustees and members of the Union club canvassing their views and the majority view was the old Union Club ought to be revived.

This circular letter is of considerable importance because it gives a list of the members of the club to whom as a corporate body the assets of the club belonged. A few of them are still alive namely Messrs K.P. Rama Rao, D.Vas, Dr. K.Vittal Rao, C.D.J.Pinto, Collerkeri Krishna Rao, Gangolly Krishna Rao, U.C.Krishna Bhat, Pangal Subba Rao, Kalmadi Laxmi Narayan Rao, N.Venkat Rao and the legal representatives of several others could be traced.

This effort to revive the club did not materialise and in view of the attitude of the Secretary T.Subba Rao the new Union Club did not function and the assets of the old club appear to have been sold and realised Rs.1,000/- which came to the hands of the late Dewan Bahadur N.Subba Rao, who and whose father N.Shiva Rao were members of that club. Under what circumstances he was entrusted with that money is not clear nor can it be found out from the

surviving members mentioned above.

Mr. N. Subba Rao appears to have deposited this amount in the Imperial Bank in the joint names of himself and the then Agent thereof Mr. J.W. Boyce, along with some other amounts. And on 30th April 1913 Mr. Subba Rao wrote to the then Agent Mr. Buckley that the deposits receipt with respect of this sum may be "made up" in his own name. From a note made by Mr. Subba Rao on a letter dated 1st May 1913 addressed to him by the Bank Agent it would appear that out of the deposit amount of Rs.2468-11-0, Rs.1,000/- belonged to the Union Club and Rs.1468-11-0 to the Victoria Memorial Fund.

By 1924 several other funds had come into the hands of Mr. N.Subba Rao and the District Advancement Association agitated that the funds in the hands of Mr. Subba Rao should be accounted for and utilised for the advancement of the District and Mr. Subba Rao appears to have written to the Association on 26th March 1927 stating that the funds Nos. 2, 3, 4 and 5 stated above were ear-marked for a Town Hall and that he was not willing to part with them for any other purpose which the S.K.D.A.A might have in view.

It is significant that the Union Club Fund has been omitted in this list. There is another paper which bears no date but was evidently written some day prior to 8th August 1930 in Mr. Subba Rao's handwriting in which the amount of the funds in his hands and the date of the maturity of the fixed deposit is noted. There Mr. Subba Rao has drawn a line under the first deposit, namely the fund of the Union Club, which was to mature on 8th August 1930 and the figure was Rs.2150-7-6. This gives an indication that Mr. Subba Rao desired to keep this fund separate from the other four.

In 1901 there was an agitation in Mangalore for putting up a Town Hall in memory of Queen Victoria. Mr. Subba Rao was the Honorary Secretary of the Victoria Memorial Committee.

He wanted that Government should assign a plot of land where the District Board Office now stands for the purpose of the Town Hall. Government wanted that at least Rs.7,500/- should be raised before the request was considered and I find a piece of paper wherein calculating the funds available for the purpose Mr Subba Rao adds up the Union Club amount in his hands. The correspondence in about July 1911.

2. The Victoria Memorial Hall Funds.- On 11th April 1901 the public of the District of South Kanara met and resolved that a District Memorial in the form of a Public Hall to be called "The Victoria Hall" be raised in the Town of Mangalore and the then Agent of the Imperial Bank was appointed the Treasurer and Mr. Subba Rao was appointed the Honorary Secretary thereof, and some funds were collected which did not anywhere come up to expectations and quite inadequate for the purpose. The funds amounted to Rs.1449-13-4. Negotiations were carried on with the Government for acquiring a site for the Town Hall and the Government asked certain queries. Vide Memorandum dated 27th April 1911, and Mr.Subba Rao was requested to furnish information and he appears to have written to the Collector on 2nd July 1911 that the funds in his hands amounted to Rs.3321-10-1, which includes the amount of the Union Club Funds. This was in reply to the 2nd query in the Memorandum namely what funds are at his disposal for erecting the memorial.

This amount evidently is made up of the Victoria Memorial Fund, Rs.1468-12-4, Union Club Fund Rs.1,000/- Edward Memorial Fund Rs.523-4-3. Subsequent collections of the Victoria Memorial Fund Rs.297-6-9, Governor's reception Fund Rs.17-11-2, Dr. Lee Ward Fund Rs.42-2-0.

It is clear from this that only the funds of the Victoria Memorial had been raised with the object of erecting a Town Hall, but Mr. Subba Rao had clubbed the

other funds also for this purpose for which I find no sanction or any authority for Mr. Subba Rao to do.

3. Coronation Durbar Fund.-

On 20th November 1911 for the purpose of celebrating the Delhi Coronation Durbar in Mangalore a meeting was held in the Government College Hall. The object of the meeting was to celebrate the Coronation by fireworks, treat to school children, prayers, feeding the poor, sports etc. but the idea of putting up anything permanent was entirely absent.

Rao Bahadur N.Venkat Rao was the joint Secretary and he has published a statement of receipts and charges which show that a cash balance of Rs.642-4-11 was left in the District Treasury unspent and Mr. N.Subba Rao drew it out and passed a receipt therefor and the correspondence relating thereto is available. It would appear that on objections raised by the Treasury Officers Mr. Subba Rao stated that he was the only Secretary then in Mangalore and that he had been authorised by the Committee to draw the amount for the purpose of utilising it "for a permanent memorial i.e. Town Hall". It is thus evident that even though the contributors to the fund had not in view the erection of a Town Hall Mr.Subb Rao evidently had that view in mind.

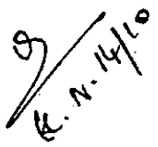
4. Victory Memorial Fund.

As I have stated above on 19th November 1919 a public meeting was held at Mangalore at the Collector's office and it was resolved that a Committee should be formed to collect subscriptions for a "District Memorial " which it is suggested might take the form of a Town Hall in Mangalore. Mr. Subba Rao was appointed the Treasurer. The account of the subscriptions collected is not available and although Rs.30,000/- was aimed at Rs.3079-2-8 appears to have been realised. At this public meeting the idea of

a Town Hall was present before the meeting but the meeting does not appear to have decided upon the form of the Memorial.

5. Edward Memorial Fund.

Particulars about this fund are lacking but as the idea apparently was to put up something permanent to commemorate his memory, a building and a library could not possibly have been repugnant to the subscribers. The sum collected would appear to be Rs.523-4-3.



DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..	8/8/35	
When examined ..	12/8/35	
When signed ..	DEC.	
When despatched.	13 AUG 1935	

SUBJECT:— Mysore Suits: Charitable (South Kanara) Mangalore Orphan Relief Funds — vesting in the Treasurer of Charitable Endowments — Powers also of the Collr.

READ AGAIN _____, dated _____ 19__

" " _____ " _____ 19__

READ *ALSO*:—

No. _____ From the A 3356/35 ~~No.~~ A Secretariat, dated _____ 19__

" _____ " _____ 19__

" _____ " _____ 19__

Order / Resolution — Ms. / Rout. No. _____, dated _____ 19__

Rebel A3356-35-1 97 128/35

Forwarded to the Acctt. General for remarks.

He is requested to state whether he sees any objection to the Course suggested by the Govt in paragraph 2 of their memo read above.

dg 10/8 12/9/35

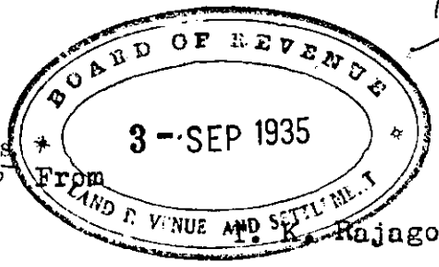
12/9/35 P108

Acctt General replies with the Collector's letter ~~does this~~ ~~call for any~~ returned with reply from 116) - 14 Cr

35 A 3788

OFFICE OF THE ACCOUNTANT-GENERAL, MADRAS.

17



Fort St. George, 30th August *1935*.

31

No. T. C. E. 491.

Enclosures 7 Sheets

From

T. K. Rajagopalan Esq., B. A.,

Accountant General, Madras,

(Book Department.)

To

The Secretary to the Board of Revenue

Land Revenue and Settlement, Madras.

Sir,

Sub:- Proposals of the Collector of South Kanara for vesting Mangalore Town Hall Funds in the Treasurer of Charitable Endowments.

2 Ab 1508

With reference to the Board's Ref. A.No. 3358-35-1 dated 12-8-1935, on the subject indicated above I have the honour to state that prima facie there is no objection to the funds in question being vested in the Treasurer of Charitable Endowments. This office is not, however, in a position to advise on the legal aspect of the application of the Charitable Endowments Act to the Funds. The Local Government will no doubt satisfy themselves about this point before they declare that the property be vested in the Treasurer of Charitable Endowments - Vide Section 4 of the Charitable Endowments Act.

2. The enclosures are herewith returned.

I have the honour to be,

Sir,

Your obedient servant,

Accountant General.

C.F.16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched		

SUBJECT:— Endowments. Charitable (South Kanara Mangalore Town Hall funds. Vest in the Treasurer of charitable en

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

No. _____ From the A 3352/35-(2) No. _____, dated _____ 19____.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order / Resolution — Ms. / Rout. No. _____, dated _____ 19____.

refee A.3352-35-2 dt 7-9-35

The Collector's attention is invited to paragraph 2 of the Govt memorandum read above and he is requested to submit the necessary application together with the draft scheme for submission to the Govt.

2 He is also referred to paragraph 7 of his letter No C.3079-35-B4 dt 12-7-35, the Collector is informed that the cash referred to should be deposited in the Postal Savings Bank and the number of the Pass book reported for inclusion in the list of securities

To the Collr of South Kanara with an extract of para 2 of the Govt memo dt 5/9/35 for his (P.T.O.) information.

b 6935

_____ DEPARTMENT. C.F. 98

REMINDER. _____ *Branch.* **REPLY.**

To THE _____ To THE _____

No. _____

NOV 1935

The undersigned has the honour to invite
The undersigned is directed to invite
attention to the communication noted in the margin and to
dated
request that his reminder may be returned at once with information as to—

(1) the stage at which the matter now is, &
(2) the date by which a reply may be expected, and
(3) the circumstances which have caused the delay.

2. It is requested that the reply to this reminder may be sent not later than 26-11-35

Office
Station
Dated 1-11-35

N. Subramania
Signature. 6.11.35
Designation.

Submitted.
Thanjavur proposed a Board of Trustees with members from (inter alia) District Board Municipal Council Jamaavarking their nephews

1 Jumy 11

I.S.E. DEPARTMENT.

REMINDER. Returnable Branch.

REPLY.

To The _____

To The _____

COLLECTORS OFFICE 20 DEC 1935 SOUTH CANARA

BOARD OF REVENUE 31 JAN 1936

I ~~have the honour to invite~~ am directed to invite attention to ~~Your~~ A ~~invite~~ Office No 335-2-35-2 dated 7.9.35 and to ~~request that the reply to it may be expedited~~ request that this reminder may be returned at ~~once~~ with as early as possible information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, ~~and~~

(3) ~~the circumstances which have caused~~ the delay.

Office D.I.R. Belt

Station Madras

Dated 24.1.36.

Signature. N. Subramanya 25.1.36

(BO) Superintendent Designation.

SUBJECT. OS 2571

Permission to receive movable properties from Hall Smith - vesting with the Treasurer of charitable endowments scheme

Submitted

The District Board has asked me if it would find convenient to the proposed board of Trustees. The Board is non-co-operative as I am still President

There is therefore no prospect of
a reply before end of April
and I cannot commit the
[illegible]

29/1/36 Colles

Dec Colles may be invited
to [illegible] if necessary

4.2.36

1.2.36

A 335/35
A 227

Ref.4230-35-B4. South Kanara Collector's Office,
Mangalore 22nd May 1936.

From

Khan Bahadur Muhammad Humayun Saheb Bahadur, B.A.,
Collector of South Kanara.

To

The Secretary,
Board of Revenue
M a d r a s.

Sir,

Trust funds - Mangalore Town Hall - Action under the Charitable Endowments Act.1890.

Board's Reference No.A-3352/35-2, dated 7.9.1935 and Board's III Reminder, dated 18.5.1936.

The Town Hall funds have been invested as shown below:

(1) 5½% loan G.P.Notes (1938-40) referred to in Mr. Gawne's letter, dated 12.7.35 to Government.		Rs.14,000.0.0
(2) 4% bonds 1943	E.000075 - Rs.200 F.000630 - Rs.500	Rs. 700.0.0
(3) Post Office Savings Bank Mangalore Account 45666.		Rs. 442.5.7
Total amount standing to the credit of the Funds on 11.5.1936.		Rs.15,142.5.7

2. The Scheme for the administration of these funds, as contemplated by Mr. Gawne, is summarised below:-

Scheme for the administration of the Town Hall funds, Mangalore.

Object of the funds.- The funds shall be utilised for the erection of a public hall in Mangalore for the use of the people of the district, provided that if after the lapse of three years from the date on which these funds shall pass under the control of the Board of Trustees, as constituted by this Scheme, it is found that the funds are

still insufficient for such purpose and that there are other objections to it, the Board of Trustees may, with the prior approval of Government, utilise it on some other single purpose which is for the Cultural or Civic benefit of the people of South Kanara.

Management.- The funds shall be administered by a Board of Trustees which shall be comprised of seven members who shall elect their own President from among themselves. These seven members shall be:-

(a) The Chairman of the Municipal Council, Mangalore for the time being	1
(b) Members elected by the Municipal Council, Mangalore	2
(c) Members elected by the District Board, South Kanara.	2
(d) The District Judge, South Kanara (ex-officio)	1
& (e) one member elected by the Bar Association, Mangalore.	1
	7

This Board of Trustees shall hold office only until the funds have been fully spent and it shall cease to exist, after this purpose is fulfilled. Any building erected out of the funds shall, on completion of its task be handed over by the Board to the Municipal Council, Mangalore, which shall thereafter maintain and manage such building.

3 It was found that in this Scheme, the inclusion of the District Judge in the Board of Trustees was open to various well-founded objections and it was therefore proposed to have in the place of the District Judge one more member of the Bar Association, Mangalore and to have the Board constituted as follows:-

(a) The Chairman of the Municipal Council, Mangalore	1
(b) Members elected by Do.	2
(c) The President of the District Board, South Kanara	1
(d) Member elected by the District Board	1
(e) Members elected by the Bar Association, Mangalore	2
	7

The revised proposals have been referred on 23.4.1936 by me to the Bar Association, the District Board and the Municipal Council. I am awaiting their replies.

Sd/- Madhavarao
For Collector. 25/5.

25.5.36.

25 [CAH]

AS(LR)

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
When signed		
When despatched.		

RESPATCHED 30 MAY 1936

SUBJECT:— Endowments. Chair Gable (South Kanara) mangalore Devon Bahadur - vesting in the Treasurer Betair Gable endowments - Application & scheme of management

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

No. _____ From the Dpt-23 A 2271/36 & Corr, No. _____, dated _____ 19____.
Cb. A Dept

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order / Resolution Ms. / Rout. No _____, dated _____ 19____.

Refee A 3352-35-3 928 5/36.

The Board is awaiting the Collector's final report in the matter.

2. The application referred to in paragraph 2 of the Govt memo of 6.8.35 should alone be submitted

ds 28/5/36

MS 28/5

To the Collector of South Kanara

The Secy to the Govt Ld. & Dept. (one only)

MS 30/5/36

Move by Cr. 31/5/36

MS 31.5

BO... -3 AUG 1936 MADRAS

26 GOVERNMENT OF MADRAS 21

A3302

Local Self Government Department.

SECY. 3 AUG 1936

MEMORANDUM:- No.21214-1/A-2/L.S.G, dated 31st July 1936.

From the Board of Revenue, No.A.3352-35-3, dated 28th May 1936.

Endowment - Charitable - Mangalore Town Hall Funds - Action under the Charitable Endowments Act, 1890.

The attention of the Board of Revenue is invited to its letter read above and it is requested to state whether the collector's final report referred to therein has been received and if so to state when its final reply to Memo. No.29063-1/A-2 L & M, dated 6th August 1935 may be expected by the Government.

V. Narasimhachariyar,
Assistant Secretary to Government.

To

The Board of Revenue.

F o r w a r d e d.

(By Order)

Superintendent.

M.A.D:-1-8-36.

D (dft)

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..	6/8	
When examined..		
When signed ..		
When despatched.		

SUBJECT:— Endowments. Charitable (South Kanara Mangalore Exhibition. Town Hall funds → resting in the treasuries of charitable endowments.

PHOTOED

READ AGAIN ..... dated ..... 19....

" " ..... " ..... 19....

READ *ALSO*:—

No. ..... From the D27 A 330/36, No. ..... dated ..... 19....
C6 A to Collr

" ..... " ..... " ..... " ..... 19....

" ..... " ..... " ..... " ..... 19....

Order / Resolution Mis. / Rout. No. ....., dated ..... 19....

Refer A.3352-35 dt 5-8-36
the Board & brings that the matter is pending with the Collector and that its report will be sent soon after the receipt of the Collector's final report

Rdg to the Govt Dept 1/8
Rdg to the Collr of South Kanara

dg 4-8-36

KV 4/8

~~Very Urgent~~.

Ref.4230-35-B.4. 31 South Kanara Collector's Office,
Mangalore, dated 10th August 1936.

Khan Bahadur Muhammad Humayun Saheb Bahadur, B.A.,
Collector of South Kanara.

To

The Secretary,
Board of Revenue,
M a d r a s.

Sir,

Trust Funds - Mangalore Town Hall Funds - Action under the Charitable Endowments Act, 1890.

p.19 cb. Board's Reference No.A.3352-35-2 dated 7-9-1936.

pp35-40 cb. I enclose an application and a draft scheme for the administration of the Town Hall Funds, Mangalore as directed in p.19 cb paragraph 1 of the Board's Reference No.A.3352-35-2 dated 7-9-35. The Town Hall Funds have been invested as shown below:-

1. Pronotes in 5½ % loan 1938-40.

Referred to in Mr.Gawne's letter of 12-7-35 to Government. — pp3-4 cb.	No.M.000301 for Rs.	10000	
	G.002169 for Rs.	1000	
	G.002170 for Rs.	1000	
	G.002132 for Rs.	1000	
	B.001598 for Rs.	500	
	F.000530 for Rs.	500	14000-0-0

2. 4% bonds 1943

	E.000075 Rs.	200	700-0-0
	F.000630 Rs.	500	

3. Post office Savings Bank Mangalore Account Pass Book No.45666.	442-5-7
The total amount standing to the credit of the Funds on 11-5-36.	15142-5-7

2. Item 2 above represents part of the interest which pp(16)-5 cb accrued on item 1 after the date of Mr. Gawne's letter of 12-7-35. Item 3 represents the surplus amount referred to in paragraph 7 of his letter, together with the balance of the interest which

was deposited in the Postal Savings Bank as ordered in paragraph 2 of the Board's reference (No.A.3352/35-2 dated 7-9-35). p 190

3. The Bar Association, the District Board and the Municipal Council have been consulted by me in the matter as stated in my letter Ref.4230-35-B4 dated 22-5-36. They have all agreed to the formation of a Board of Trustees as proposed in the draft scheme. pp 21-23 & p 39

madhavarao
For Collector
11.8.36.

C.F. 30.

Local Self-Government DEPARTMENT.

35

Received ..... 19 *Registered* 19

Subject.

Endowments - Charitable - South Kanara - Mangalore Town Hall - Government Memorandum 29063-1-A2 L & M dated 6-8-35.

ENCLOSURES.
No. .....
.....
Spare copies .....

Ref.B4 No. 4930-35.

Station Mangalore, *Dated the* 10th August 19 36.

From (Name) Khan Bahadur Muhammad Humayun Saheb Bahadur B.A.,
(Designation) Collector of South Kanara.

To The Secretary to the Government of Madras,
Local Self-Government Department.
Madras.

Sir,

Fr. 82 Gen. Fin. 1936 III

I submit with reference to sections 4,5 and 6 of th Charitable Endowments Act (VI of 1890) an application for the settlement of a scheme for the administration of the Mangalore Town Hall Funds.

2. These funds came under the control of the Collector of South Kanara, by virtue of the order passed by the District Court of South Kanara on 20-6-1934 in O.P. No.50 of 1934 on its file. A copy of the order is enclosed.

$41 C8

3. The funds form a combination of the five funds which were held until his death by the late Dewan Bahadur N. Subba Rao.

1. The Union Club Funds.

2. The Victoria Memorial Fund.

3. The Edward Coronation Fund.

4. The Delhi Durbar Fund.

5. The Victory Fund.

After the appointment of the Collector of South Kanara as trustee, a public meeting was convened to discuss the best way of utilising these funds which were the result of the contributions of the public of South Kanara at various times. The persons present at the meeting desired that the Funds should be earmarked for the construction of a Town Hall for Mangalore.

3. It has been found however that the funds have not yet reached even Rs.16,000/- and will not be sufficient for the construction of a Town Hall at present. The Funds have all been invested in Government Securities, as shown below. A small amount of Rs.442.5.7 is in the Post Office Savings Bank:-

(1) 5½% Government Promissory notes (1938-1940):-	M.000301	for Rs.10,000
	G.002169	for Rs. 1,000
	G.002170	for Rs. 1,000
	G.002132	for Rs. 1,000
	B.001598	for Rs. 500
	F.000530	for Rs. 500
	Total:	Rs.14,000
2) 4% Government bonds 1943:-	E.000075	Rs. 200
	F.000630	Rs. 500
	Total:	Rs. 700
3) Post Office Savings Bank, Mangalore Pass Book No.45666		Rs. 442.5.7
Total of the Funds:		Rs.15,142.5.7

It is necessary that some arrangements should be made for the administration of these Funds.

4. I have consulted the Bar Association, Mangalore, the Municipal Council, Mangalore and the District Board, South Kanara. The Draft Scheme which is herewith submitted

for 39-40 O/

for consideration has been agreed to by all of them.

5. I request that Government may be pleased to accept the Scheme and issue orders for the proper administration of the Funds, in accordance with the provisions of the Charitable Endowments Act 1890.

smadhavarao
For Collector. 11/8

11-8-26

DRAFT SCHEME.

1. This Scheme shall be called the Scheme for the Administration of the Mangalore Town Hall Funds.

2. The Funds for which the Collector of South Kanara was appointed Trustee by the District Court, South Kanara in its order, dated 20.6.1934 in O.P.50 of 1934 are the Funds which are referred to in this Scheme as the Mangalore Town Hall Funds and they are comprised of the funds which stand invested as shown below:-

Government 5½% Promissory notes		Rs.14,000
Government 4% Bonds 1943		Rs. 700
Post Office Savings Bank		Rs. 442.5.7
	Total:	Rs.15,142.5.7

3. Objects.

The funds shall be utilised for the erection of a public hall in Mangalore Town for the use of the people of South Kanara District provided that if after the lapse of three years from the date on which these funds pass under the control of the Board of Trustees as constituted by this Scheme, it is found that the funds are still insufficient for the erection of a proper Town Hall for the use of the people of South Kanara and/or that there are other objections to the execution of the contemplated object the Board of Trustees may, with the prior approval of Government utilise the Funds on some other single purpose which is for the Cultural or Civic benefit of the people of South Kanara.

4. Administration.

The funds shall be administered by a Board of Trustees which shall be comprised of 7 members who shall elect a President from among themselves. The 7 members shall be

(1) The Chairman of the Municipal Council, Mangalore.

(2) The President of the District Board, South Kanara.

(3) Members elected by do.

(4) Members elected by the Municipal Council, Mangalore. 2

(5) Members elected by the Bar Association, Mangalore. 2

Total 7

5. None of the members shall be entitled to any pay or remuneration for their duties. The Board of Trustees shall hold office only until the Funds have been fully spent; it shall cease to exist after this purpose is fulfilled - either by the erection of the Town Hall or otherwise. The Town Hall, if erected out of the Fund, shall on the eve of the dissolution of the Board be handed over by the Board to the Municipal Council, Mangalore with all accounts, papers, funds, etc. --- appertaining to the Funds and the Municipal Council shall --- thereafter maintain and manage such building and all affairs relating to the Funds.

South Kanara Collector's Office,
Mangalore, 10th August 1936.

madhavarao
For Collector. 11/8

11.8.86.

In the Court of the District Judge of South Kanara.

Wednesday, the 20th day of June 1934.

Present:- S. G. Srinivasa Acharya, Esquire, B.A., B.L.,
District Judge.

Original Petition No.50 of 1934.

N. Rama Rao — Petitioner.

This is an application under Section 74 of the Indian Truste Act II of 1882 praying that the Collector of South Kanara District may be appointed the Trustee for all the Town Hall Funds standing in the name of late Dewan Bahadur N. Subba Rao and petitioner be empowered to hand over the Fixed Deposit Receipts to the Collector of South Kanara.

This application coming on for hearing this day, in the presence of Mr. K. Ram Mohan Rao, Pleader for the ------ Petitioner and upon perusing the application and the connect -ed records of the case, the Court passed the following:-

O r d e r.

The Collector of South Kanara is by consent appointed Trustee of the funds scheduled herein. Petitioner is to deliver the Bank receipts to him.

Schedule.

1.	Jayalaxmi Bank Ltd., Mangalore	.. Rs. 1448. 2. 7	Fixed deposit No.127/1932.
2.	do.	.. Rs. 2576.12. 6	do. 66/1932.
3.	do.	.. Rs. 4773. 4. 0	do. 72/1932.
4.	do.	.. Rs. 1516. 8. 4	do.604/32-33
5.	The South Kanara Central Co-operative Bank Ltd., Mangalore.	.. Rs. 3421. 1. 0	do. 2358.
	Total	.. Rs.13735.12. 5	

Pronounced in open court this 20th day of June 1934.

Sd/- S.G. Srinivasa Acharya,
District Judge.

To the Collector of South Kanara.

(True copy)

Sd/- S.G. Srinivasa Acharya
11/8

For Collector.

11-8-34

Rp 138. A 3730

51

Ref. 4317-36-B4.

South Kanara Collector's Office,
Mangalore, 28th August 1936.

From

Khan Bahadur Muhammad Humayun Saheb Bahadur, B.A.,
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
M a d r a s.

Sir,

Trust Funds - Mangalore Town Hall Funds - Scheme for administration by the Municipal Council.

Rp 53-54 cb I enclose the report Ref.C.No. 2862/D2/36, dated 18th August 1936, of the Commissioner of the Mangalore Municipality submitting for the approval of Government a scheme for administration of the Mangalore Town Hall Funds. In my report Ref. 4230-35-B4, dated 10.8.1936, I submitted a draft scheme and application for the administration of the Funds under the Charitable Endowments Act. The scheme was prepared in consultation with the Municipal Council, the District Board and the Bar Association.

Rp 53-57 cb

Rp 3108

Rp 39 40 cb

For Collector. 31/8.

31.8.36.

Copy of letter from M.R.Ry. C.R. Karunakara Menon Avl., B.A., B.L., Commissioner, Mangalore Municipality, No. Ref. C. 2862/D2/36 dated 18th August 1936 to the Secretary to the Govt. of Madras, Local Self Government Department through the Chairman, Municipal Council, Mangalore, the Collector of South Kanara and the Board of Revenue:-

Endowments - Charitable - Accumulation of five funds held in trust by late Mr. N. Subba Rao - Scheme for administration of the Trust - Submitted to Government.

A sum of about Rs.16,000/- being the accumulation of five funds were held in trust by the late Dewan Bahadur N. Subba Rao. This money has been since invested by the Collector of South Kanara on Government paper. In his letter dated 14th June 1935 the Collector of South Kanara wrote to say that he proposes to hand over the whole amount as invested, to the Government of Madras to hold it in trust under the Charitable Endowments Act VI of 1890. He also requested the Municipal Council to make a scheme so that the money which has been unspent for so many years may be put to some use. The Council has accordingly drawn up the enclosed scheme for the administration of the trust. Necessary sanction is requested.

Copy of the resolution of the Municipal Council approving the draft scheme and the copy of the resolution requesting to submit the scheme are enclosed.

F o r w a r d e d.

(Sd)
Chairman, M.C.

Copy to the Secretary to Government, Local Self Govt. Dept. Fort St. George, Madras (Direct).

v.c/13.10.

K.N. 14/10

SCHEME

1. That the funds handed over by the Collector of South Kanara to the Government of Madras (under the provisions of the Charitable Endowments Act VI of 1922) appertaining to..... ..... be handed over to the Mangalore Municipal Council, with all interest accrued due up to date of handing over.

2. That the said Council shall add to it at least an equivalent amount.

3. That the whole of the aggregate amount formed after such addition shall be utilized for the construction of a Town Hall building together with the necessary outhouses such as garages, compound wall, etc. (hereinafter called the Town Ha on such site as may be alienated by Government in favour of the Council

4. That the said Town Hall shall vest in the said Council.

5. That the Council, or such authorities who may be duly authorized by the Council in this behalf, shall use or permit the hall to be used for such purposes as may be approved by the Council or by such authority.

6. That the Council shall have power to frame rules regulating the use of the said hall, and the terms and conditions on which such user shall be permitted.

7. That the Council shall have power to lease out the Town hall, and to levy rent for such leasing out, or fees for its user referred to above.

8. All income derived by the Council by way of rent or otherwise owing to its renting out or permitting user of the said hall, shall be used for the purposes of the said Town Hall only.

9. The Council shall maintain separate account in respect of the Town Hall.

10. The Council shall be responsible for the proper upkeep and maintenance of the said Town Hall.

11. The Town Hall shall be named "THE VICTORIA EDWARD HALL".

(Sd) T. Siva Ramayya,
Commissioner, M.M.
Delegate.

Municipal Office,
Mangalore, 18th Aug: 1936.

v.c/13.10.

Extract from the Proceedings of the Mangalore Municipal Council dated the 17th July 1936.-

20. Read letter Ref. No. 4230/35-B4 dated the 3rd July 1936 from the Collector of South Kanara, in regard to the scheme formulated by the Council regarding the Town Hall funds and the file of connected papers.

The scheme prepared by the Council may be sent to the Government.

/True Extract/

(Sd) Y. Siva Ramayya,
Commissioner, M.M.
Delegate

Municipal Office,
Mangalore, 18-8-1936

Extract from the Proceedings of the Mangalore Municipal Council dated the 1st June 1936.-

41. Read letter dated the 14th June 1935 from the Collector of South Kanara in respect of formation of a scheme relating to the Town Hall funds, Chairman's note, the draft scheme and Mr. Karant's opinion thereon.

The draft scheme is approved.

True Extract/

(Sd) Y. Siva Ramayya,
Commissioner, M.M.
Delagate

Municipal Office,
Mangalore, 18-8-1936

CHAIRMAN'S NOTE.

Reference.- Town Hall and Municipal Office building Funds and Collector's letter dated 14th June 1935.

****

I. The question of building a Town Hall was first taken up for consideration in 1930 and in the address presented by the Council to His Excellency the Governor of Madras during his visit to Mangalore in October 1930, a request was made for the assignment of a portion of the maidan and to permit the sale of the present Municipal office building and utilise the sale proceeds and the contributions available, for constructing a building in the maidan which would serve the purposes of both a Town Hall and the Municipal Office.

II. In reply, His Excellency was pleased to state that if definite proposals were made to Government, he would see that the requests were duly considered.

III. The proposals that were subsequently approved by the Council and submitted to Government, were the following:-

1) That a portion of the maidan on the north-western side measuring five acres, may be alienated in favour of the Council.

2) That two acres of land may be utilized for a building which would serve the purposes of a Town Hall, Municipal Office and a theatre.

3) That the remaining 3 acres, may be utilized for a Public Park, Tennis Courts, etc.

4) That the present Municipal Office building be sold and the sale proceeds together with the contributions available be utilized for the construction of the new buildings.

5) That the new buildings may vest in Government on the same terms as the existing Municipal office building.

IV. The Board of Revenue subsequently wished to know the extent of land that would be needed for an office and Town Hall omitting provision for Tennis Courts or Public Gardens and was informed through the Collector that the Council considered that two acres of land was the absolute minimum that would be required for the purpose. A request was also made that two acres be alienated preferably the north-eastern corner of the maiden and if that was not possible the north-western corner.

V. The Government however not finding any justificatic for abandoning the present Municipal office negatived the prc posals.

VI. The Council then modified its original scheme by dropping the question of combining the Town Hall with the Municipal Office and decided to request Government for assigr ing the north-eastern portion of the maidan to the extent of about an acre and a half dor the purpose of building, only a Town Hall. The Government in reply stated that they were nc prepared to comply with the request but they would however consider the same, "if at any time the Council is in a posi- tion to provide funds for the construction of a Town Hall". In connection with this order the Council had asked the de - tails of the amount available pertaining to the Municipal office building, Town Hall, etc.,.

VII. About 40 years back, the Council, I understand, had invested a sum of Rs. 4,500/- in Government Paper and this amount was ear-marked for a Municipal Office Building. The interest accrued on the investment was annually added on to the corpus of the fund and the same now amounts to Rs.11,025/-. In addition to this there is a Fund known as The Edward Memorial Building Fund which with interest amounts to about Rs.680/-. These two funds with the

interest

interest for the current year will total about Rs.12,000/-.

VIII. On the 13th June 1935, the District Collector convened a public meeting of the citizens of Mangalore and invited opinion in the matter of the disposal of the sum of Rs.16,000/- which is the accumulation of the five funds which were held in trust by the late Dewan Bahadur N.Subba Rao. I suggested at the meeting that this amount could be usefully utilized for building a Town Hall in Mangalore and if this proposal was accepted and the Collector wrote to me officially, I said, I would place this matter before the Council for their consideration and decision. The Collector in this connection writes under date 14th June 1935, a copy of which is enclosed.

IX. A growing town and a Municipality like outs needs a Town Hall badly. There is no likelihood of the Government permitting us to sell the present Municipal office building and to utilize the proceeds for the new building which would serve the purpose of a Town Hall and the Municipal Office. I would therefore suggest that advantage be taken of the suggestions contained in the letter of the Collector dated 14th - June 1935 and the Government be requested to permit us, to make use of the amount of Rs.16,000/- referred to above, and also the Municipal office building and the Edward Memorial Building Fund amounting to about Rs.12,000/- for the construction of only a Town Hall which will admit of expansion and being built upon on all sides if and when necessary.

X. The building shall be such, which shall be in keeping with the dignity and importance of our town and shall also admit of conversion into a theatre easily. It is not possible at present to state exactly the cost of a building of the type that I have suggested. However, Rs.35,000/- roughly, will, I think, be a fair estimate. The two funds referred to above, total about Rs.28,000/- and the balance of Rs.7,000 required, can be provided for in the budget - from the General Funds of the Council, the construction

maintenance, and adornment of Public Halls and theatres being one of the authorized objects of expenditure under the Municipal Act. Further, the theatre will be a source of revenue to the Council.

XI. If the Council accepts these proposals, Government will be addressed accordingly. The design, plan and estimate of the building will be prepared in consultation with the Director of Town Planning, the Consulting Architect to Government and the Superintending Engineer, if the Government are prepared to sanction the proposals.

The Counsil is requested to consider and decide.

Municipal Office, Mangalore
Dated the 2nd July 1935.

Sd. K. Vittal Shetty,
Chairman. M.C.,

E.M.Gawne Esq., I.C.S.,
Copy of Letter from/~~the~~ Collector of South Kanara,
dated 14th June 1935, to the Chairman, Municipal Council,
Mangalore.

Town Hall Funds - Formulation of a scheme.

You are aware of the proceedings of the meeting yesterday in the Government College at which I asked for suggestions - with regard to the disposal of the sum of approximately Rs. 16,000/- which is the accumulation of the five funds which were held in trust by the late Mr.N.Subba Rao. As I informed the meeting I have invested the greater part of the money in Government paper and as soon as the last fixed deposit falls due on the 20th June I shall invest the balance in Government paper. I shall then take action under the Charitable Endowments Act VI of 1890, and hand the whole of the funds, as invested, over to the Madras Government, with a request that they will hold the money in trust under the Act.

Under section 5 of the Act those who are interested in the money can move the Government to settle a scheme for the administration of the trust.

I request therefore that the Municipal Council will discuss this matter and will take steps to make a scheme so that this money which has been unspent for so many years may be put to some use. The matter is one primarily for the people of - Mangalore to decide since there is nothing to show that any - appreciable amount of the money was collected outside Mangalore Town. The Municipal Council, therefore, as representing the people of Mangalore, is the proper body to prepare a scheme and forward it to the Local Government. The Collector is not really concerned in the matter at all, and as soon as the money has been entirely invested and placed in the hands of the Local Government I shall cease to take any active steps with regard to these funds.

Pages 53-66 given
to r/c
Original pages
53 to 74 sent
in original to
court

RB

RECEIVED BOARD OF REVENUE 11 SEP 1936

Local Self-Government Department.

11 SEP 1936

Memorandum No.28949-1.A.2.,L.S.G.,dated 9th September 1936.

From the Board of Revenue, Ref.A.No.3352-55-4, dated 5th August 1936.

Endowment - Charitable - Mangalore Town Hall Funds Action under the Charitable Endowments Act, 1890.

The Board of Revenue is requested to state whether the final report of the Collector referred to in its Reference read above has been received and if so to state when its reply to Memorandum No. 29063-1 A.2. L & M., dated the 6th August 1936 may be expected to reach Government.

V. Narasimhachariar,
Assistant Secretary to Government.

To the Board of Revenue.

Forwarded.

(By Order)

M. Maran
Superintendent.

CAH

C.F.16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..	16/9/36	CAH
When examined..		
When signed ..		
When despatched.		

77

SUBJECT:— Encroachments Class Land. Santa Maria Mangalore Ta & Dtn. Iron Railings.

DESPATCHED 17/9/36

READ AGAIN , dated 19

" " " 19

READ *ALSO*:—

No. From the D5108 · A3720/36 & No. , dated 19

" A3871/36 B 754 " 19

" " " " 19

Order / Resolution — Ms. / Rout. No. , dated 19

Refer A3352 · 35-5 dt 15-9-36.

The Collector is requested to offer his remarks on the scheme suggested by the Municipal Council Mangalore, to state whether he has any objections to it and if so, to report what the objections are.

D the Collector of South Kanara with ends to the return Dept No 53-746

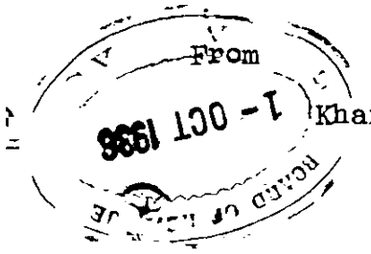
Copy to the Secy to the Govt of Mad with refce to their memo No 28949-1A 2 dt S.9 dt 7-9-36 D 754.

dg 15/9/36 15/9/36

RP 10/03355/35

A4 1811

Ref. 4929-36-B4. South Kanara Collector's Office,
Mangalore, 26th September 1936.



From

Khan Bahadur Muhammad Humayun Saheb Bahadur, B.A.,
Collector of South Kanara.

To

The Secretary,
Board of Revenue,
M a d r a s.

Sir,

Endowments - Charitable - South Kanara - Town Hall Funds - Scheme by the Mangalore Municipal Council.

The Town Hall Funds are funds for which the Collector was by consent appointed trustee in the order dated 20.6.1934 of the South Kanara District Court in O.P.50/34 on its file (please see copy submitted with my letter Ref.4230-35-B4 dated 10.8.1936 to Government). An application and a draft scheme of administration were called for by Government with reference to Sections 4, 5 and 6 of the Charitable Endowments Act, 1890 in respect of these funds in their Memorandum No.29063-1-A2 L. & M., dated 6.8.1935. I have accordingly submitted an application and a draft scheme -- through the Board with my letter Ref.4230-35-B4, dated 10.8.1936. The Municipal Council has now submitted a scheme which is unnecessary, in the circumstances of the case.

2. In the draft scheme already submitted by me, I have --- proposed a Board of Trustees consisting of 7 members for the ---- administration of the Funds. Three of these will be representatives of the Municipal Council. The Municipal Council, on the other hand, suggests that the entire Trust Funds may be handed -- over to itself for management. The Trust Funds are not funds --

subscribed by the people of Mangalore Town alone. They are funds subscribed by the whole of this district and my scheme, while it gives the Council a predominant voice in management, secures representation and voice for other interests of the district also, till the Town Hall has been completed and the funds have been utilised for such hall.

3. The papers received with the Board's reference are enclosed.

For Collector.

28/9

BOARD OF REVENUE
5 OCT 1936

81

SECY.
5 OCT 1936

Local Self Government Department

Memorandum No. 30146-1 A.2., L.S.G., dated 2nd October 1936.

From the Commissioner, Mangalore Municipality, No.2862/D2/36 dated 18th August 1936.

Endowments - Charitable - (Trusts) - late Dr. B.N. Subbarao - Scheme for administration.

The Board of Revenue is requested to state whether the original of the letter read above submitted to Government ~~xhax~~ through the Collector and Board, has been received and if so to state when it might be expected by Government.

M.V. Sankara Variar,
Assistant Secretary to Government

To the Board of Revenue.

Forwarded.
/By Order/.

Superintendent.

K.V.D.

87

DRAFT FOR APPROVAL.

C.F. 10.

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
When signed		
When despatched.		

SUBJECT:— Endowments. Charitable (Smith Mahomed) Mangalore Income Tax Funds. Vesting in the Treasurer of charitable endowments. - Application & Draft Scheme. - Collector's provisional recommended

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

No. _____ From the p.10c A 3352/35 @, No. _____, dated _____ 19____.

" _____ " p.31c A 3484/36 @ _____ " _____ 19____.

" _____ " ~~p.51c. A 2772/36. @~~ p.17c. Refer 15-9-36. A-@ _____ " _____ 19____.

" _____ " p.79c. A 4161/36 " A- _____ " _____ 19____.

Order / Resolution — Ms. / Rout. No. _____, dated p.81c. A 4366/36 @ _____ 19____.

Refer A3352-35-6 dt 10.10.36

submitted to the Govt

2 The Board recommends that the scheme as drafted by the Collector may be approved

(70)

dg
9/10
/36
9.10.36

WS
10.10

'37 WS 30.1.37

p 47-48 c/b.

Despatched to the Govt Law Dept. with the Collectors letters in Ms No. 1761 - 13 c/b, 33 - 34 c/b & 43 - 49 c/b & Accts - pp 53-74 c/b.

WS
Keep o/c.

85

GOVERNMENT OF MADRAS

BOARD OF REVENUE 13 MAR 1937

1 MAR 37

LOCAL SELF GOVERNMENT DEPT.

MEMORANDUM No.36111-1-A2 L.S.G. dated 9th March 1937.

From the Collector of South Kanara, B4 No.4230/35 dated 10th August 1936.

From the Board of Revenue, A.No.3352-35-5 dated 10th October 1936.

Endowments - Charitable - Mangalore Municipal Council - Town Hall Funds - Application of the Charitable Endowments Act, 1890.

The Government observe that the draft scheme for the administration of the Mangalore Town Hall Funds submitted by the Collector of South Kanara gives very little idea of the exact nature and cost of the proposed building beyond the mere mention of the fact that 'a public hall' or 'a proper town hall for the use of the people of South Kanara' is to be built. the scheme gives very wide discretion to the trustees in the administration of the Funds. It appears from the connected papers that the cost of the building is roughly estimated at Rs.35,000 and the intention of the Council seems to be to meet out of the total estimated cost, a sum of Rs.19,000 from its funds, the Town Hall Funds amounting to Rs.16,000 in round figures being utilised to meet the balance of the estimated cost. The Director of Town Planning is in favour of using the building for cinemas as suggested by the Municipal Council. It is not however stipulated how, and for what purpose the building is to be used by 'the people of South Kanara' and whether on payment or not. The Government consider that the proposed expenditure of Rs.19,000 out of municipal funds on the construction of a building the nature and utility of which is undefined can hardly be justified. It is presumed in this connection that the municipal office will remain where it is now though the proposed Town Hall building will be used for holding meetings of the municipal Council; the Government

would observe that a building suitably furnished and designed for the conduct of municipal meetings, cannot be conveniently used regularly as a place of public entertainment though it may be possible to lease out or allow its use occasionallyfor public entertainments or meetings. The draft scheme should therefore be revised and made definite after consulting the proposed trustees, if necessary. If the proposed Town Hall is to be primarily intended for the holding of the meeting of the municipal Council, it should be designed suitably for the purpose and the extent to which it would be possible to use it for the other purposes referred to, should be indicated. A rough plan or other indication of the nature of the proposed building should be drawn up and its approximate cost stated. If, on the other hand, it is proposed to build merely a hall for public meetings and entertainments this should be definitely stated and the type and cost of the building indicated. If the cost of the building exceeds the sum available, the source from which the balance is to be raised should also be stated. The expenditure of municipal funds on ~~road or~~ such a building would not appear to be justified.

2. The Collector of South Kanara is requested to examine the whole question further in the light of the above observations and submit through the Board of Revenue definite proposals in regard to the application of the Charitable Endowments Act 1890 to the Town Hall Funds; if however, Mr.Gawne's Original scheme for enlarging the library is thought prefereable the Government would consider it favourably.

T.B.Russell,
Secretary to Government.

To the Collector of South Kanara through the Board of Revenue.
Copy to the Board of Revenue

Forwarded
(By Order)

Superintendent

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.	23 MAR	

SUBJECT :— Endowments - Charitable (South Kanara) Mangalore Town Hall Funds - Application of the Charitable Endowment Act - Further report called f

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO* :—

No. 899 } From the _____, No. _____, dated _____ 19____.
pp 85-88 cf

" 900 } " Memo from the Govt in the L.S.G. Deptt No. 36111/1-A2 89 19 3-37 — Q

" _____ " _____ " _____ " _____ 19____.

Order ~~Ms.~~ / ~~Resolution~~ ~~Rout.~~ No. _____, dated Pefee A 3352/35-7 Dy 18.3.37

1 Dy 26.4.37
- to Collr. S. Kanara

Forwarded to the Collector of South Kanara for early report.

The Collr of S. Kanara — 17/3.
(with) this copy of the
ref Memo — 17.3.37

pp 87-88 cf.
to be sent
in original.

18.3.37

18.3.37

Rev DEPARTMENT.

No. 1 REMINDER. Land Rev Branch.

C.F. 98.

REPLY.

To THE Collector of South Kanara

I ~~have the honour to invite~~ am directed to invite attention to ~~invite~~ his No. A 3352/35-7 dated (18.3.37) and ~~to request that the reply to it may be expedited~~ with request that this reminder may be returned at once information as to—

(1) the stage at which the matter now is, and

(2) the date by which a reply may be expected, ~~and~~

~~(3) the circumstances which have caused the delay.~~

Office Board of Rev

Station Madras

Dated 26.4.37

N. Subramania 26.4.37
Signature.

Supdt.
Designation.

SUBJECT. Endowments - Charitable (S. Kanara) Mangalore Town Hall funds - Application of the Charitable Endowment Act - further report called for

COLLECTOR'S OFFICE No. 28 APR 1937 SOUTH CANARA

BOARD OF REVENUE 3 MAY 1937 MADRAS

To THE The Secretary to the Board of Revenue, Madras.

The matter is one which require discussions with the leading men of the town. The Collector has to take the lead and guide public -- opinion into a practical form. It seems to me more advisable that the Collector who holds discussions -- should have a sufficiently long tenure of office at Mangalore so that he may give shape to the proposals which may emanate from the discussion I have therefore reserved the papers for my successor who is due in May.

29/4/37
Collector.

26.4.37.

In the circumstances explained by the Collector the next order may issue on 15-6-37, if the sickness is not reported by that date

3/5 3.5.37

3/5

On. Mr M.V. Vellodi has been posted to S. Kanara

No II Revr dy 17.6.37 to Collr

Rev DEPARTMENT. C.F. 98

BOARD OF REVENUE MADRAS 26 JUN 1937

REMINDER. Land Rev Branch. REPLY.

To The Collector of S. Kanara

I ~~have the honour to invite~~ am directed to invite attention to ~~service~~

No. A 3352/35-7 dated 18-3-37 and

~~to request that the reply to it may be expedited~~ with request that this reminder may be returned at once information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, ~~and~~

(3) ~~the circumstances which have caused the delay.~~

Office Board of Rev Signature. N. Subramanian 18.6.37

Station Madras. Designation. Supdt

Dated 17.6.37 SUBJECT.

Endowments - Charitable (S. Kanara) Mangalore Town Hall Funds - Application of the Charitable Endowments Act - Further report - Called for.

I would be obliged the favour before submitting a report. A reply will be submitted by the 10

J Jones

Mr. M. Vithoba

Solicitor Town Hall).

AS(LR)

Filed. The Collr may be reminded, if necessa on 15.7.37

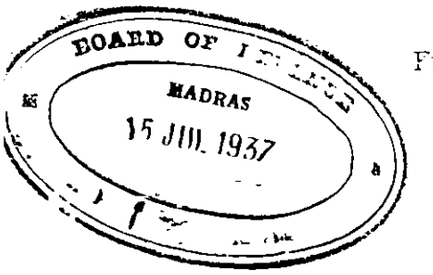
RR 28/6/37

2/7/37.

R. No. 1403-37-3-4.

A-2371

South Kanara Collector's Office,
Mangalore, dated 12th July 1937.



From

M. R. Ry. Rao Bahadur
M. V. Vellodi, Avgl, B.A.
Collector of South Kanara.

To

The Secretary to the
Board of Revenue,
Chepauk, Madras.

Sir,

Endowments--Charitable--South Kanara--Mangalore Town Hall Funds--Application of the Charitable Endowments Act.

Ref. Board's ref. No. A.3452/35--7 dated 18th March 1937.

Ref:- Government Memorandum No. 36111-1-A2 Local Self Government Department dated 9th March 1937.

I have considered all the points in the Government Memorandum cited above and have also consulted the Chairman of the Municipal Council and a few others. The public of Mangalore are very keen on having a Town Hall. They are not so keen on the extension of the library. It has been definitely decided that the Municipal Office or the Meeting Hall of the Municipal Council will not be moved from its present abode and that the Town Hall will be entirely used as Town Halls are used in other places, for public meetings and occasional leasing out to Travelling cinema shows and such other purpose. The cost of the Town Hall is estimated at about Rs.35,000. Funds

amounting to Rs.16,000 are available in the 'Town Hall Funds.' There is an amount of Rs.12,000/- accumulated which has been ear-marked for the construction of a Municipal Office. The Municipality will divert this money towards the construction of the Town Hall if the Government would sanction such diversion. There remains an amount of Rs,7,000 to be found. Both the Chairman and the Commissioner whom I interviewed tell me that there will not be any difficulty in finding this amount, that the Municipality is spending between 45 to 50 thousand rupees per year on capital cost and land acquisition for the widening of roads and that if a few of these items are postponed this amount of Rs.7,000 could be readily found.

2. The point for consideration of Government is whether it would sanction such diversion. The Municipality is not in any need of a new office. The money that has been ear-marked for it cannot be utilised by the Municipality without the sanction of Government. The Town Hall Funds are not sufficient for the construction of the Town Hall. The idea of the construction of the Town Hall has been in the minds of the leading citizens of South Kanara for a long time. I should think it would only be proper to allow the Municipality to divert the funds ear-marked for the construction of the Municipal office towards the construction of any other building which is intended to improve the civic - amenities of Mangalore Town. Then in regard to the 7 thousand rupees the Municipality may be asked to set apart this amount in their next budget. I solicit orders whether the above suggestions have the approval of the Government. Plans and estimates will be prepared after knowing the views of the Government.

3. I submit that the decision on this point need not delay action being taken to approve the draft scheme submitted with this office letter Ref. B4-4230/35 dated 10th August 1936.

39-40 Cf
31-32 Cf

M. V. Wallace.

Collector.

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined	11.8.37	
When signed		
When despatched.		

SUBJECT:— Endowments - charitable (South Kanara) Mangalore Taluk and Town - Town Hall funds - Vesting in the Treasurer of Charitable endowments. Further report from the Collr - submitted

READ AGAIN 14 AUG 1937, dated ____ 19____.

" " ____ " ____ 19____.

READ ALSO:—

Ref. No. A 899/37 From the Govt. L.S. & Deptt Memo No 36111-1-37 No. ____, dated 9-3 1937 — Q

" A 2377/37 " — Collr of S. Kanara Dfte 1462/37-Ba 812-7-37 " " 10 " — A

" ____ " ____ " ____ " ____ 19____.

Order Mis. Resolution Rout. No. ____, dated Ref ee A 335-2/35-Ba 7-8-37 19____.

Submitted to the Govt with reference to their Memo read above

KR 4/8 hr. 4.8.37

To. The Secy to Govt
Local Admn Deptt.

BOARD OF REVENUE MADRAS

GOVERNMENT OF MADRAS.

Received.....1938. Registered....A(S.3)1.1938.

Abstract.

EDUCATION -

Mangalore Town Hall Fund - Vesting in the Treasurer of Charitable Endowments - Scheme of Administration - Draft notifications published.

Education and Public Health Department.

G.O.No.Ms.359 P.H., Dated 29th January 1938.

Read the following :-

From the Collector of South Kanara, Ref.No.3079/35, dated 12-7-1935
From the Board of Revenue, No.A.3352/35, dated 28-5-1936.
From the Collector of South Kanara, D.4.No.4230.35, dated 10-8-1936
From the Commissioner, Mangalore Municipality, No.2862 D.2-36, date 18-8-1936
From the Board of Revenue, No.3352-35-6, dated 10-10-1936.
From the Collector of South Kanara, No.1402-37 D4, dated 12-7-1937.
From the Board of Revenue, No.A.3352-35-8, dated 7-8-1937.

ORDER :-

The papers read above relate to the construction of a town hall in Mangalore at a cost of Rs.35,000/-. The Collector of South Kanara as trustee of the Town Hall Funds proposes, in consultation with the Chairman, Municipal Council to meet the expenditure as follows :-

(i) Town Hall Funds.	Rs.16,000/-
(ii) Diversion of the amount earmarked by the Municipal Council, Mangalore, for an office building.	12,000/-
(iii) Additional amount to be provided by the Municipal Council, Mangalore, from its funds.	7,000/-
	Rs. 35,000/-

The Government have no objection to the proposal. They sanction the diversion of the sum of Rs.12,000/- earmarked by the Municipal Council for an office building and the utilisation of a further sum of Rs.7,000/- from Municipal funds for the purpose.

2. The appended

2. The appended notifications will be published in the Fort St. George Gazette.

3. The Collector of South Kanara is requested to publish the notifications in the South Kanara District Gazette and to report to Government the date of such publication.

(By Order of His Excellency the Governor)

C. H. Masterman,

Secretary to Government.

To the Commissioner, Mangalore Municipality, through the Chairman.
" President, District Board, South Kanara.
" President, Bar Association, Mangalore.
" Collector, South Kanara. ✓✓
" Revenue Department.
" Board of Revenue.
" Superintendent, Government Press (for publication in Gazette).
Copy to the Local Administration Department.
" Examiner of Local Fund Accounts.

(True Copy)

Forwarded
(By Order)

Superintendent.

APPENDIX.

APPENDIX.

Notification. I.

The following draft of an order vesting the trust properties known as "The Mangalore Town Hall Endowment Fund" in the Treasurer of Charitable Endowments, Madras, which the Government of Madras propose to issue under section 4 of the Charitable Endowments Act, 1890 (VI of 1890) is hereby published for general information. Notice is hereby given that the said draft will be taken into consideration after six weeks from the date of its publication in the South Canara District Gazette and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras :-

DRAFT ORDER.

In the matter of the Charitable Endowments Act, 1890, and in the matter of "The Mangalore Town Hall Endowment Fund"

Whereas application has been made to the Government of Madras under clause (a) of sub-section (1) of section 6 of the Charitable Endowments Act, 1890 (VI of 1890) by the Collector of South Canara acting in the administration of the Trust Fund known as "The Mangalore Town Hall Endowment Fund" for vesting in the Treasurer of Charitable Endowments appointed under the said Act for the Province of Madras, the securities and money more particularly described in the Schedule below, the Government of Madras in exercise of the powers conferred by section 4 ~~xx~~ of the said Act are hereby pleased to order that the securities and money mentioned in the Schedule be vested in the Treasurer aforesaid

and be held by him and his successors, subject to the provisions of the said Act and to any rules which from time to time may be, or shall be deemed to have been, made thereunder, upon trust for the purposes, and subject to the conditions set forth in the Scheme settled under section 5 of the said Act for the administration of the said Fund.

SCHEDULE.

5½% Government Promissory Notes 1938-1940.

H	000301 for	Rs.10,000
G	002109 for	Rs. 1,000
G	002170 for	Rs. 1,000
G	002132 for	Rs. 1,000
B	001598 for	Rs. 500
F	000530 for	Rs. 500
	Total	Rs.14,000

4% Government Bonds 1943

R E.	000075	Rs. 200
F	000330	Rs. 500
		700

Post office Savings Bank, Mangalore, Pass Book No.45666 Rs. 442-5-7

15,142-5-7

Notification II.

The following draft of an order settling a scheme for the administration of the trust properties known as "The Mangalore Town Hall Endowment Fund" which the Government of Madras propose to issue under sub-section (1) of Section 5 of the Charitable Endowments Act, 1890 (VI of 1890) is hereby published for general information.

Notice

Notice is hereby given that the said draft will be taken into consideration after six weeks from the date of its publication in the South Kanara District Gazette and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras:-

DRAFT ORDER.

In the matter of the Charitable Endowments Act, ...20 1890 and in ~~the~~ the matter of "The Mangalore Town Hall Endowment Fund".

Whereas application has been made to the Government of Madras under clause (a) of sub-section (1) of section 6 of the Charitable Endowments Act, 1890 (VI of 1890) by the Collector of South Kanara acting in the administration of the Trust Fund known as "The Mangalore Town Hall Endowment Fund" and referred to in Notification No. supra, for settling a scheme for the administration of the said Fund, it is hereby notified that the Government of Madras have, in exercise of the powers conferred by ~~section~~ section 6 of the said Act, settled the Scheme set forth in the Schedule below for the administration of the said Fund and directed that such Scheme shall come into operation with effect on and from the 1st May 1938.

SCHEDULE.

Scheme for the administration of "The Mangalore Town Hall Endowment Fund".

1. The Fund shall be called "The Mangalore Town Hall Endowment Fund".

2. It shall be administered by a Board of Trustees (hereinafter called the Board) which shall consist of --

(1) the Chairman

(1) the Chairman of the Municipal council, Mangalore, ex-officio;

(2) the President of the District Board, South Kanara, ex-officio;

(3) one member elected by the members of the District Board, South Kanara, from among themselves;

(4) two members elected by the members of the Municipal council, Mangalore, from among themselves; and

(5) two members elected by the members of the Bar Association, Mangalore, from among themselves.

3.(1) A member of the Board who was elected by the District Board, South Kanara, the Municipal Council, Mangalore, or the Bar Association, Mangalore, shall cease to hold office if he ceases to be a member of the District Board, the Municipal Council or the Bar Association, as the case may be.

(2) If a vacancy arises in the offices of an elected member of the Board by any cause whatsoever, the District Board, the Municipal council or the Bar Association, as the case may be, shall elect a fresh member to fill the vacancy. If within two months after the occurrence of the vacancy the District Board, the Municipal Council or the Bar Association fails to elect a member, the remaining members of the Board shall elect a member to fill the vacancy from among the members of the District Board, the Municipal council or the Bar Association, as the case may be.

4. The Board shall elect one of its members to be its President.

5. No business shall be transacted at any meeting of the Board unless at least three members are present.

8. Subject to the provisions of this Scheme the Board may from time to time make bylaws for the regulation of its proceedings, the maintenance of accounts and the like.

7. The members of the Board shall not be entitled to any pay or remuneration for their services.

8. The Fund shall be utilized for the erection of a proper public hall in Mangalore town ~~thereinx~~ (hereinafter called the Town Hall) for the use of the people of South Kanara District, provided that if, after the lapse of three years from the date on which the administration of the Fund is vested in the Board it is found that the Fund is insufficient for the said purpose or that there are objections to the carrying out of the said purpose, the Board may, with the previous approval of the Government of Madras, utilize the Fund for some other single purpose which is for the cultural or civic benefit of the people of South Kanara District.

9. The Board shall have the power to accept funds for the purposes of the ~~x~~ endowment provided that such funds are unaccompanied by conditions inconsistent with the nature, purposes or provisions of this Scheme. Such funds shall be vested in the Treasurer of Charitable Endowments appointed for the Province ~~of~~ of Madras, under the ~~x~~ terms and conditions as to the application thereof provided in this scheme.

10. The Board shall be dissolved after the purpose for which it is ~~xxxxxxxxxxxxxxxx~~ constituted has been carried out either by the erection of the Town Hall or otherwise.

11. The administration of the Town Hall or the institution which may be substituted for it under clause 8 shall, after the dissolution of the Board, be vested in the Municipal Council, Mangalore, which shall be responsible for the proper upkeep and

and maintenance of the Town Hall or the institution, as the case may be.

12. The Board, and after the dissolution of the Board, the Municipal council, Mangalore, shall maintain regular accounts of the sums received and expended on account of the Town Hall or the institution which may be substituted for it under clause 8 as the case may be.

13.(1) The Town Hall shall be permitted to be used ~~free~~ free of charge for lawful and peaceful public functions and meetings.

(2) Without prejudice to the provisions of sub-clause (1) the Town Hall may be permitted to be used for any lawful and peaceful private function or meeting provided that reasonable rent on a scale to be fixed by the Municipal Council, Mangalore, is levied for such use.

(3) The use of the Town Hall for any of the purposes mentioned in this clause shall be subject to the rules framed, and to such conditions imposed, by the Municipal Council, Mangalore.

14. The use of the Town Hall shall not be permitted for any seditious meeting or for any meeting calculated to foment religious hatred between one community and another.

15. All income derived by way of rent or otherwise on account of the Town Hall shall be applied ~~x~~ solely for the purposes of the Town Hall.

16. The amount of the Fund may from time to time be reinvested in Government securities.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
When signed		
When despatched.		

SUBJECT:— Endowments. Charitable (Sanskrit Pathasala) Mangalore Co & Town - Town Hall Funds - Vesting in the Treasurer of Charitable Endowments - Scheme of administration - Sanctioned - G.O recorded.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

No. _____ From the p 95 A 531/38-2 of., No. _____, dated _____ 19____.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order / Resolution — Ms. / Rout. No. _____, dated _____ 19____.

Res (Confl) 399 & 5.2.38

Recorded

2. The Collector's attention is invited to paragraph 3 of the G.O. cited above and he is requested to report ~~the~~ the date of the publication of the notification in the Dt. Gazette

p. 97 of

To the Collector of Sanka Kanam

dg
2/2

Ref.C.1592-37-B3.

South Kanara Collector's Office,
Mangalore, dated 8 - 3 - 1938.

From

M.R.Ry. Rao Bahadur M.V.Vellodi, Avl.,B.A.,
Collector of South Kanara.

To

The Secretary to Government,
Education and Public Health Department,
M a d r a s.

Sir,

Endowments - Mangalore Town Hall Fund -Vesting in the Treasurer of Charitable Endowments - scheme of Administration - Draft notifications - publication in the South Kanara District Gazette - date - report submitted.

958 (J)

Ref: G.O.No. Ms. 359 P.H. dated 29-1-1938.

P 175 (J)

The notifications referred to in paragraph 3 of the G.O. dated 29-1-38 were published on 21-2-38 in the South Kanara District Gazette for February 1938.

Sd/- M. V. Vellodi,
Collector.

Copy submitted to the Secretary, Board of Revenue, Land Revenue and Settlement, Madras, with reference to Board's -------. Proceedings Misc. No. 399 dated 5-2-1938.

South Kanara Collector's office,
Mangalore, dated 8 - 3 - 1938.

For Collector.

8.3.38

JoA (dR)

Recorded & filed with Proc no 399 dt 5-2-38

BOARD OF REVENUE
2 - MAY 1938
MADRAS

115

A2343

Government of Madras.

Received.....1938. Registered.....1938.
District.

Endowments

Charitable - South Kanara - Mangalore Town Hall Endowment fund - Final Notification - Issued.

Education and Public Health Department.

G.O.Ms.No. 1091 P.H. dated 29th A p r i l 1938.

Read :-

(1) G.O.Ms.No. 359 P.H. dated 29th January 1938.
(2) From the Collector of South Kanara, D. No. 1692-37-E3, dated 8th March 1938.

Order :-

In G.O.Ms.No.359 P.H. dated 29th January 1938, draft notifications vesting the trust properties known as 'The Mangalore Town Hall Endowment Fund' in the Trustees of Charitable Endowments, Madras, and settling a scheme for their administration were published for general information.

2. No objection or suggestion having been received, the draft orders will now be confirmed.

3. The appointed notifications will be published in the Fort St. George Gazette and in the South Kanara District Gazette.

(By order of His Excellency the Governor)

O.H.Masterman
Secretary to Government.

To the Collector of South Kanara.
To the President, District Board, South Kanara.
To the Commissioner, Mangalore Municipality (through the Chairman, Municipal Council, Mangalore).
To the Revenue Department.
To the Board of Revenue.
To the Superintendent, Government Press (for publication of notification in Gazette).
To the Accountant-General.
Copy to the Local Administration Department.
Copy to the Examiner of Local Fund Accounts.
(Nine copy)

Forwarded

(By order)

Superintendent.

Appendix :- (R)

Recorded & sketched with Ref'no 399 dt 5-2-38

5-2-38

Jo I A

dg 1CG 3/5/38
35/38

Endowments - Charitable (Smith Stanes Mangalore to Town - Town Hall Fund vesting in the Treasurer of charitable endowments. Scheme.

A 3352/35

To AS.

Please see the Govt memo: p. 1 c/s.

2. The file deals with the creation of vesting (a sum of about) Rs 15,000/- - Mangalore Town Hall Funds - in the Treasurer of Charitable Endowments. The sum was with M. Rgs Sri. Subba Rao till his death & then the Collector of the Dt was appointed as the Trustee of the funds by Dt. Judge Smith Stanes vide his order dt 20.6.34 at p. 7 c/s. p 3 c/s

3 The Collector has now framed a Scheme for the management of the Trust, as constituted a Board Committee for controlling the funds & has also put in an application for vesting it in the Treasurer of Charitable Endowments. pp 39-40 c/s p 43 c/s

The local G P. advised the Collector to resort to this plan & the A G also does no objection to it. The Board may perhaps agree with the Collector & submit the application & the draft scheme for the approval of the Govt. p 3 c/s p 17 c/s WD 26.9

S)

~~Scheme for the approval of the Govt~~ considered -

5 As the existing funds is over/enough for the construction of a town Hall, it has to remain in the Govt securities till it accommodates to a convenient figure. For orders

dg
48
1/36
8/8/36

W
24/8

A J S
26/8/36

M2

Of course in the present market these 5½ & 4% securities ought to be worth a good deal more than their face value. How much according to Current Quotations?

M2
28/8

What approximately would be the cost of a Town Hall suitable to Mangalore? Can anyone guess

1(2)
31.8

Jan Lakshmana Ayya Hubba Avl 1-9-36

M2
AJS
Adda)

JoAS

Please see the M2's guess above.

face value | value according to Current Quotations

14,000 @ 107-12-0 = 15,085

700 @ 111-10-0 = 781-6

14700 | 15866-6

Total 163-7-11

Claim (1) According to Current Quotations the Govt securities are now worth about Rs 15,866-6-0 as against the face value of Rs 14,700/-

Claim (2)

Please see portion A of the Collector's letter at p-4 ante. The Collector appears to think that about Rs 30,000/- will be required

for the construction of a hall provided the site is secured free. Perhaps Rs 35,000 to Rs 40,000 may be an approximate estimate inclusive of the cost of site, construction of paths etc.

Forwarded

dg 19/9/36 12 14.9.36

WM 2.9.36

ADS 3.9.36

M.2

I see. The scheme may be Recommended.

Att 5/9

M2 Pl draft RJS 12 19.9.36 AS(LR) AS(dd)

To AS(dd)

Draft Sd

dg 7/9/36 3

2. Please see the Collector's letter dated 28.8.36 at p.51 cf. the Collector has enclosed a scheme as drafted by the Municipal Council. As the Collr adds, that the scheme already formed by him was prepared in consultation with the Municipal Council, no action is called for in the matter.

pp 53-57 cf

pp 39-40 cf

p.51 cf

dg 7/9/36 The scheme submitted by the Municipal Council at pp 55-57 cf is for perusal. The essence of the scheme is that the Municipal Council shall add to the existing fund (Rs 1,000) at least an equivalent amount and utilise the aggregate amount for the construction of a Town Hall. The Municipal Council

Clause 2 - p 55 cf

proposes to contribute the other moiety
by making use of the Municipal office
~~Road~~ Building and Edward memorial Building — Para IX — p 67
fund amounting to about Rs 12,000 for
the construction of a Town Hall and by
providing the balance from the general
funds of the Council as the Construction
of a public Hall is an authorised
expenditure under the Act. The scheme
submitted by the Municipal council appears
to be more practicable than that evolved
by the Coll as there seems to be no possibility
under the scheme suggested by him of the — p 39 cf
Town Hall funds ~~ever~~ reaching within a reasonable time
which would permit of the execution of the
contemplated Object

It will be observed from para 6 of the
Coll's letter at p 4 cf that the Municipal p 4 cf
Council had at first a vague idea of
merging the "Town Hall" & "Municipal office
building" funds and having a combined
municipal office and Town Hall built -
They the Collector (Mr Stevens) considered that the two schemes — p 4 cf
cannot be satisfactorily combined as the funds
for either scheme were inadequate. The
present proposal of the municipal Council
is to utilise both the funds amounting to
Rs 28,000 in all for the construction of

on a Town Hall providing the balance from the general funds. As this scheme appears to be more practicable it is for consideration whether before recommending the scheme suggested by the Collr of Galle he may be asked to report whether there are any objections to the scheme suggested by the Municipal Council and if so what they are.

WD 12.9
14.9.36
br 11.9.36

AJS

As (Coln) Do AS (Coln)

Draft Sd

dg 15.9.36

WD 15/9

Send a reply to the Rx from Govt
WD 15/9 Sw AM

pp 77 cb: Issued as WD's refce dy 15/9/36.

pp 79-80 cb Letter Soom the Collector of S. Kanara dy 26/9/36.

[A. 3352/35]

Do AS.

Please see the notes at pp 3-5 ante 7, & the Colr's letter at pp 79-80 cb.

2 The Collector is not in favour of the scheme as drafted by the Municipal Council. For orders whether the Collector's Scheme may be recommended to the Govt as already ordered. The Colr's letter explaining why the Municipal Council's scheme is not acceptable may also be submitted to Govt

WD 7.10 p3 ante 7

dg 5/10 br 3/10/36

To AD (LR)

Draft Subd

Issued as Bd's Rfee A 3352/35-5 dt 10.10.36 pp 83 cf. ~~AS~~ JS (LR&M)

A 899/37 - Govt Memo No 36111-1-A2 dt 9.3.37 - pp 85-86 cf AS (LR)

Issued as Bd's Rfee A 3352/35-7 dt 18.3.37. p 87 cf.

A 2377/37 - Collector of South Kanara. pp 89-91 cf.

To AS.

Please see the Govt Memo at pp 85-86 cf and the reply at pp 89-91 cf from the Coll of South Kanara.

2/. The coll's report may be submitted to the Govt with rfee to their Memo at pp 85-86.

cf.

JS (LR&M)

AS (LR)

To AS.

Draft submitted

Issued vide A 3352/35-8 dt 7-8-37 issued. p 93 ✓

ρ·93ख issued as Bd's letter dt 7·8·37

ρ·95ख ख.ए. 359 ए·ॐ dt 24-1-38

[ॐ 335²/30⁻].

JS(A)

Ab (dr)

~~Section~~

ख 3/2 ग 2

Ab AS

Dock Rly

ख 3/2 38 ग/38

ख 3238 JS. (A)

4 · 38